

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

DEC 23 2003

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY SV
DEPUTY CLERK

Board of Regents, The University of Texas
System, and 3D Systems, Inc.,

Plaintiffs,

v.

EOS GmbH Electro Optical Systems,

Defendant.

Civil Action No. A03 CA 113SS

DECLARATION OF BRENT E. STUCKER, PH.D. IN SUPPORT OF PLAINTIFFS' REPLY IN SUPPORT OF ITS MOTION TO DISQUALIFY ALLAN LIGHTMAN, PH.D.

I, Brent E. Stucker, Ph.D., declare:

1. I have personal knowledge of the matters contained in this declaration and, if called as a witness, could and would competently testify hereto.
2. I am an Assistant Professor of Mechanical & Aerospace Engineering at Utah State University.
3. I hold a Bachelor's degree in Mechanical Engineering from the University of Idaho and a Ph.D. in Mechanical Engineering from Texas A&M University.
4. I have been retained as a testifying expert on behalf of Plaintiffs in this action.
5. I read the Declaration of Michael C. Shellabear, Ph.D. filed in Support of EOS's Opposition to Disqualify Dr. Allan J. Lightman. I disagree with Dr. Shellabear's statement that "after eliminating those individuals who have an affiliation with EOS, 3D Systems, DTM or the University of Texas, there are only about six individuals who meet these criteria and would probably be able and willing to serve as an independent expert for EOS."

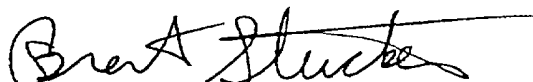
6. Using Dr. Shellabear's definition of one with appropriate background in the field as defined in his declaration, to locate appropriate experts, I would interview the authors of scientific articles related to selective laser sintering.

7. To locate additional potential experts, I would conduct searches at <http://home.att.net/~edgrenda/index.htm>, a website designed for searching technical articles on Rapid Prototyping ("RP"). On December 23, 2003, I conducted a search using the term "SLS" (selective laser sintering) and the search engine retrieved 336 articles. I also conducted a search using the term "laser sintering," and was presented with 559 articles. Many of the authors of these articles, according to Dr. Shellabear's definition of one with appropriate background in the field, would be appropriate as expert witnesses in the field of RP and laser sintering.

8. Also, inventors of selective laser sintering patents would meet Dr. Shellabear's definition of one with appropriate background in the field. Attached hereto as Exhibit 1 is a list of 52 patents related to selective laser sintering. Each patent has between one and five co-inventors.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

December 23, 2003


Brent E. Stucker, Ph.D.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served in the following manner to the following counsel of record on this 23rd day of December, 2003.

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Attorneys for Defendant
EOS GMBH ELECTRO OPTICAL SYSTEMS


ELIZABETH J. BROWN FORE

PATENTS

Author(s) Wicks; Ruel E. Tourtellotte; Herbert A.

Title Powder feed apparatus

Patent No. 4,270,675 Assignee United Technologies Corp

Exh. 1

Author(s) Arcella; Frank G. (Bethel Park, PA); Lessmann; Gerald G. (Pleasant Hills,

Title Casting Shapes [Early Publication in Europe]

Patent No. 4,818,562 Assignee Westinghouse Electric Corp.

Author(s) Sachs; Emanuel M. , Cima; Michael J. , Bredt; James F. , Khanuja; Satbir

Title Process for removing loose powder particles from interior passages of a

Patent No. 5,490,882 Assignee Mass. Institute of Technology

Author(s) Alscher; Gabriele Schmachtenberg; Ernst

Title Method for manufacturing three-dimensional tools intended for shaping

Patent No. DE 197 01 Assignee IKM Institute for Plastics in Machining

Author(s) O'Conner; Kurt F. Stewart; James R.

Title Method of burning out polycarbonate patterns from ceramic molds

Patent No. 5,298,204 Assignee General Motors Corp

Author(s) Smith; Redd H.

Title Fabrication method for rotary bits and bit components and bits and

Patent No. 5,433,280 Assignee Baker Hughes Inc.

Author(s) Smith; Redd H.

Title Fabrication method for rotary bits and bit components

Patent No. 5,544,550 Assignee Baker Hughes Inc.

Author(s) Bampton; Clifford C. (Thousand Oaks, CA); Burkett; Robert (Simi Valley,

Title Free form fabrication of metallic components

Patent No. 5,745,834 Assignee Rockwell International Corporation

PATENTS

Author(s) Benda; John A. Parasco; Aristotle

Title Method for performing multiple beam laser sintering employing focussed

Patent No. 5,393,482 Assignee United Technologies Corp

Author(s) Benda; John A. Parasco; Aristotle

Title Method for performing temperature-controlled laser sintering

Patent No. 5,427,733 Assignee United Technologies Corp

Author(s) Benda; John A. Parasco; Aristotle

Title Apparatus for multiple beam laser sintering

Patent No. 5,508,489 Assignee United Technologies Corp

Author(s) Benda; John A. Parasco; Aristotle

Title Apparatus for temperature controlled laser sintering

Patent No. 5,530,221 Assignee United Technologies Corp

Author(s) O'Connor; Kurt F.

Title Method of making a core/pattern combination for producing a gas-turbine

Patent No. 5,250,136 Assignee General Motors Corp

Author(s) O'Connor; Kurt F.

Title Rapid prototyping process and cooling chamber therefor

Patent No. 5,622,577 Assignee Delco Electronics Corporation

Author(s) O'Connor; Kurt

Title Rapid prototyping process and apparatus therefor

Patent No. 5,846,370 Assignee Delco Electronics Corporation

Author(s) Sachs; Emanuel Michaels; Steven P. Allen; Samuel M.

Title Enhancement of thermal properties of tooling made by solid free form

Patent No. 5,775,402 Assignee Mass. Institute of Technology

PATENTS

Author(s) Cima; Linda G. Cima; Michael J.

Title Tissue regeneration matrices by solid free form fabrication techniques

Patent No. 5,518,680 Assignee Mass. Institute of Technology

Author(s) Sachs; Emanuel et al (4 others)

Title Ceramic mold finishing techniques for removing powder

Patent No. 5,814,161 Assignee Mass. Institute of Technology

Author(s) Cima; Linda G. Cima; Michael J.

Title Preparation of medical devices by solid free-form fabrication methods

Patent No. 5,490,962 Assignee Mass. Institute of Technology

Author(s) Mackay; Colin A.

Title Three-dimensional metal fabrication using a laser

Patent No. 5,314,003 Assignee MCC Corporation

Author(s) MacKay; Colin A.

Title Composition for three-dimensional metal fabrication using a laser

Patent No. 5,393,613 Assignee MCC Corporation

Author(s) Klein; Albert J. (Arlington Heights, IL); Hooper; William H. (Fairfield, CT)

Title Method for producing metal powder having rapid sintering characteristics

Patent No. 4,209,326 Assignee American Can Company

Author(s) Benda; John A. (Amston, CT); Parasco; Aristotle (East Hampton, CT)

Title Absorption tailored laser sintering

Patent No. 6,007,764 Assignee United Technologies Corp

Author(s) Smith; Redd H. (Salt Lake City, UT)

Title Fabrication method for rotary bits and bit components

Patent No. 5,957,006 Assignee Baker Hughes Inc.

PATENTS

Author(s) Chow; Jacob T. C. (Salt Lake City, UT); Findley; Sidney L. (Salt Lake City,
Title Structure for use in Drilling a Subterranean Formation

Patent No. 6,089,123 Assignee Baker Hughes Inc.

Author(s) Chow; Jacob T. C. (Salt Lake City, UT); Findley; Sidney L. (Salt Lake City,
Title Bit Manufacturing Method

Patent No. 6,073,518 Assignee Baker Hughes Inc.

Author(s) Vacanti; Joseph P. (Winchester, MA); Cima; Linda G. (Lexington, MA);
Title Vascularized Tissue Regeneration Matrices Formed by Solid Free Form

Patent No. 6,139,574 Assignee Mass. Institute of Technology

Author(s) Clausen; Christian Henning (P.O. Box 24, Woodbury, NJ 08096); Mickish;
Title Laser Sinterable Thermoplastic Powder

Patent No. 6,110,411 Assignee E. I. DuPont de Nemours & Co.

Author(s) Harrison; David Bryan (Leverkusen, DE); Podszun; Wolfgang (Cologne, DE)
Title Copolymers for Rapid Prototyping

Patent No. 6,143,852 Assignee Bayer Aktiengesellschaft

Author(s) Meiners; Wilhelm (Aachen, DE); Wissenbach; Konrad (Herzogenrath, DE);
Title Selective Laser Sintering at Melting Temperature

Patent No. 6,215,093 Assignee Fraunhofer-Gesellschaft zur Foerderung der

Author(s) Butcher; Trent N. (Sandy, UT); Findley; Sidney L. (West Valley City, UT);
Title Method of Manufacturing Bits, Bit Components, and Other Articles of

Patent No. 6,209,420 Assignee Baker Hughes Inc.

Author(s) Schmidt; Wayde R. (Pomfret Center, CT)

Title Method for Modifying the Properties of a Freeform Fabricated Part

Patent No. 6,228,437 Assignee United Technologies Corp

PATENTS

Author(s) Scholten; Heinz (Haltern, DE); Christoph; Wolfgang (Marl, DE)

Title Use of Nylon-12 for Selective Layer Sintering

Patent No. 6,245,281 Assignee Huels Aktiengesellschaft

Author(s) Smith; Redd H. (Salt Lake City, UT); Findley; Sidney L. (West Valley City,

Title Method for infiltrating preformed components and component assemblies

Patent No. 5,839,329 Assignee Baker Hughes Inc.

Author(s) Cima; Linda G. (Lexington, MA); Cima; Michael J. (Lexington, MA)

Title Preparation of medical devices by solid free-form fabrication methods

Patent No. 5,869,170 Assignee Mass. Institute of Technology

Author(s) Newell; Kenneth J. (Marina Del Rey, CA); Goldberg; Ira B. (Westlake

Title Direct Metal Fabrication (DMF) Using a Carbon Precursor to Bind the

Patent No. 5,932,055 Assignee Rockwell Science Center

Author(s) Stucker; Brent E. (West Kingston, RI); Bradley; Walter L. (College Station,

Title Manufacture and Use of ZrB₂/Cu or TiB₂/Cu Composite Electrodes

Patent No. 5,933,701 Assignee Texas A & M University

Author(s) Sinor; L. Allen (Kingwood, TX)

Title Rotary drag bit with enhanced hydraulic and stabilization characteristics

Patent No. 6,302,223 Assignee Baker Hughes Inc.

Author(s) CARETTA, RENATO; (GALLARATE(VA), IT) ; MANCOSU, FEDERICO; (MILAN,

Title METHOD OF PRODUCING TYRES, OF MAKING VULCANIZATION MOULDS FOR

Patent No. 2001004818 Assignee Pirelli Coordinamentopneumatici S.p.A.

Author(s) Smith; Redd H.; Findley; Sidney L.; Butcher; Trent N.

Title Method and apparatus for infiltrating preformed components and

Patent No. 6,354,362 Assignee Baker Hughes Inc.

PATENTS

Author(s) Stucker; Brent E. (College Station, TX); Bradley; Walter L. (College Station, TX); Eubank;

Title Manufacture and use of ZrB.sub.2 /CU composite electrodes

Patent No. 5,870,663

Assignee Texas A & M University

Author(s) Meiners; Wilhelm ; Wissenbach; Konrad ; Gasser; Andres

Title Method and device for scanning the surface of an object with a laser beam

Patent No. 6,534,740

Assignee Fraunhofer Gesellschaft zur Forderung der angewandten Forschung

Author(s) Cima; Linda G. ; Cima; Michael J.

Title Tissue regeneration matrices by solid free-form fabrication techniques

Patent No. 6,530,958

Assignee Mass. Institute of Technology

Author(s) Shen, Jialin; (Blaubeuren, DE) ; Steinberger, Jurgin; (Grobenzell, DE)

Title Device and process for sintering a powder with a laser beam

Patent No. 20030059334

Assignee DaimlerChrysler Res. Ctr. (Ulm ,Ger.)

Author(s)

Title Laser sintering apparatus

Patent No. 20030052105

Assignee FUJI Photo Film CO., LTD.

Author(s) Manetsberger, Karsten; (Ulm, DE) ; Shen, Jialin; (Blaustein, DE) ; Steinberger, Juergen;

Title Method and device for selective laser sintering

Patent No. 20020158054

Assignee DaimlerChrysler Res. Ctr. (Ulm ,Ger.)

Author(s) Ryang; Hong-Son (Camarillo, CA); Schroeder; Scott A. (Newbury Park, CA)

Title Strengthening method for green form parts made from metal powder

Patent No. 6,365,093

Assignee Rockwell Technologies

Author(s) ?

Title Apparatus and method for dispensing of powders

Patent No. 6,336,480

Assignee Therics, Inc.

PATENTS

Author(s) Meister; Matthias

Title Process of making a bit body and mold therefor

Patent No. 6,200,514 Assignee Baker Hughes Inc.

Author(s) Poliniak; Eugene Samuel; Sun; Hoi Cheong Steve; Desai; Nitin Vithalbhai;

Title Methods using dry powder deposition apparatuses

Patent No. 6,511,712 Assignee Delsys Pharmaceutical

Author(s) Ryang; Hong-Son (Camarillo, CA); Schroeder; Scott A.

Title Strengthening method for green form parts made from metal powder

Patent No. 6,365,093 Assignee Rockwell Technologies, LLC

Author(s) Gaylo; Christopher M. ; Imiolek; Ireneusz J. Fedor; Jeffrey A.

Title Apparatus and method for dispensing of powders

Patent No. 6,336,480 Assignee Therics, Inc.
